

1
2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

5 * * *

6 EURO MOTOR SPORT INC, *et al.*,

7 Plaintiffs,

8 v.

9 ARB LAS VEGAS, d/b/a Las Vegas Towing,

10 Defendant.
11

Case No. 2:21-cv-00177-CDS-BNW

REPORT AND RECOMMENDATION

12 On March 28, 2023, the Court granted Defendant's counsel's motion to withdraw. ECF
13 No. 61. The Court ordered Defendant to associate new counsel by April 27, 2023, because
14 corporations cannot represent themselves. *Id.* The Court warned Defendant that failure to respond
15 would result in default being entered against it. On May 1, 2023, the Court extended the time to
16 retain new counsel until May 16, 2023. ECF No. 62. ARB did not retain counsel by this date or
17 request an extension of this deadline.

18 Accordingly, IT IS HEREBY RECOMMENDED that default judgment be entered against
19 Defendant ARB LAS VEGAS for failure to comply with this court's orders and retain counsel.
20 *See In re Am. W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994) (stating that "[c]orporations and
21 other unincorporated associations must appear in court through an attorney."); *United States v.*
22 *High Country Broad.*, 3 F.3d 1244, 1245 (9th Cir. 1993) (per curiam) (finding it is appropriate to
23 enter default judgment against a corporation that fails to retain counsel as ordered by the court).
24

25 NOTICE

26 This report and recommendation is submitted to the United States district judge assigned
27 to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation
28 may file a written objection supported by points and authorities within fourteen days of being

1 served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely
2 objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d
3 1153, 1157 (9th Cir. 1991).

4 DATED: June 6, 2023.

5 

6 BREND A WEKSLER
7 UNITED STATES MAGISTRATE JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28